

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Alpari (US) LLC, on behalf of itself and all
others similarly situated,

Plaintiff,

-against-

BNP PARIBAS, S.A.

Defendant.

No. 17 Civ. 05278 (LGS)

Alpari (US) LLC, on behalf of itself and all
others similarly situated,

Plaintiff,

-against-

CREDIT SUISSE GROUP AG; CREDIT
SUISSE AG; and CREDIT SUISSE
SECURITIES (USA), LLC,

Defendants.

No. 17 Civ. 05282 (LGS)

ALPARI (US) LLC, on behalf of itself and all
others similarly situated,

Plaintiff,

- against -

ROYAL BANK OF SCOTLAND GROUP PLC
and RBS SECURITIES, INC.,

Defendants.

No. 17 Civ. 05284 (LGS)

**DECLARATION OF DAVID G. JANUSZEWSKI IN SUPPORT OF DEFENDANTS'
MOTION TO COMPEL ARBITRATION OR, IN THE ALTERNATIVE, TO DISMISS
THE AMENDED COMPLAINTS ON GROUNDS OF FORUM NON CONVENIENS**

I, David G. Januszewski declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am admitted to the bars of the State of New York and this Court. I am a partner at the law firm of Cahill Gordon & Reindel LLP, counsel for the Defendants Credit Suisse Group AG, Credit Suisse AG, and Credit Suisse Securities (USA), LLC (together, “Credit Suisse”) in the above-captioned matter. I make this declaration in support of Defendants’ motions to compel arbitration or, in the alternative, to dismiss the amended complaints and to put certain materials relevant to those motions before the Court.

2. Attached hereto as Exhibit 1 is a true and correct copy of the January 25, 2011 Agreement for the Provision of Pricing and Liquidity between Credit Suisse AG, London Branch and Alpari (US), LLC.

3. Attached hereto as Exhibit 2 is a true and correct copy of the May 27, 2010 International Swaps and Derivatives Association, Inc. (“ISDA”) 2002 Master Agreement between Alpari (US), LLC and Morgan Stanley & Co. Incorporated, provided to counsel for Credit Suisse on October 17, 2017 by counsel for Plaintiff.

4. Attached hereto as Exhibit 3 is a true and correct copy of the August 1, 2011 Master FX Give-Up Agreement between Credit Suisse AG and Morgan Stanley Bank, N.A..

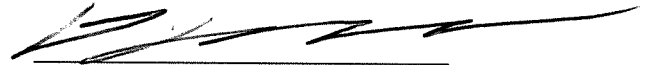
5. Attached hereto as Exhibit 4 is a true and correct copy of the June 14, 2010 FX Give-Up Agreement Notice between Credit Suisse AG, London Branch and Morgan Stanley & Co. Incorporated, true and correct copies of subsequent Amended and Restated FX Give-Up Agreement Notices of July 19, 2010, October 14, 2010, January 20, 2011, and July 7, 2011, and true and correct copies of the October 17, 2011 Amended and Restated FX Give-Up Agreement

Notice between Credit Suisse Group AG and Morgan Stanley Bank, N.A. and subsequent Amended and Restated FX Give-Up Agreement Notice of October 19, 2011.

6. Attached hereto as Exhibit 5 is a true and correct copy of the May 24, 2011 International Swaps and Derivatives Association, Inc. ("ISDA") 2002 Master Agreement between Morgan Stanley Bank, N.A. and Credit Suisse AG.

7. Attached hereto as Exhibit 6 is a true and correct copy of the February 16, 2011 Platform Agreement between Credit Suisse AG London Branch and Alpari (US), LLC, provided to counsel for Credit Suisse on October 10, 2017 by counsel for Plaintiff.

Dated: December 7, 2017
New York, New York



David G. Januszewski